

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

TRUSTEES FOR THE MICHIGAN CARPENTERS'
COUNCIL PENSION FUND, TRUSTEES FOR
THE MICHIGAN CARPENTERS' COUNCIL
HEALTH CARE FUND, TRUSTEES FOR THE
MICHIGAN CARPENTERS' COUNCIL
APPRENTICESHIP AND TRAINING FUND,

Docket No.: 4:05-cv-112

Honorable Wendell A. Miles
Senior, U.S. District Judge

Plaintiffs,

v.

R.D. PRIME GENERAL CONTRACTOR, INC., a
Michigan Corporation,

Defendant.

_____/

SCOTT GRAHAM
Howard & Howard Attorneys, P.C.
Attorneys for Plaintiffs
151 South Rose Street, Suite 800
Kalamazoo, Michigan 49007
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_____/

DEFAULT JUDGMENT

At a session of the U.S. District Court for
the Western District of Michigan
held on the **10th day of January, 2006**

PRESENT: HONORABLE WENDELL A. MILES

This matter is presented for the entry of a Default Judgment. It appears from the files and records that an Affidavit for Entry of Default and Entry of Default have been duly filed and the Defendant has failed to plead or otherwise defend as required by the Federal Rules of Civil Procedure, and the Plaintiffs' Complaint being for specific relief in the form of a payroll audit, a Judgment requiring the payment of contributions found to be due during the audit, and an award of attorney fees and costs,

and Plaintiffs' attorney having filed with this Court an Affidavit of Attorney Fees and Costs, and the Court being fully advised in the premises therein:

NOW THEREFORE, IT IS ORDERED AND ADJUDGED that a Default Judgment shall and does hereby enter in favor of Plaintiffs and against Defendant, R.D. PRIME GENERAL CONTRACTOR, INC., a Michigan Corporation, requiring that Defendant shall immediately submit to the Plaintiffs its books and payroll records for a payroll audit for the time period including January 1, 2001 to date, including all records that will allow Plaintiffs to determine whether any fringe benefit contributions are due to the Funds for work performed by Defendant's employees.

IT IS FURTHER ORDERED AND ADJUDGED that the Defendant shall immediately pay the fringe benefit contributions that are found to be due, and that it shall pay all newly accruing contributions in a timely manner.

IT IS FURTHER ORDERED AND ADJUDGED that the Court award Plaintiffs' attorney fees and costs in the amount of Two Thousand Seven Hundred Three and 00/100 Dollars (\$2,703.00).

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiffs shall be entitled to collect their reasonable attorney fees and costs in the enforcement of this Judgment.

/s/ Robert Holmes Bell

Robert Holmes Bell ☐

Chief United States District Judge ☐

for: ☐

Wendell A. Miles ☐

Senior United States District Judge ☐